

SCHOOL OPTIONS EVALUATION CRITERIA

Home

School Options

Evaluation Criteria and Estimated Total Costs

Up	School Option	1	2	3	4
		Status Quo	Build New PES & Maintain PMS *	Build New PMS & Maintain PES **	Remove Add to P Maint PM
Potential Site	Evaluation Criteria				
	Students & Programs				
	Accommodates Growth in Student Population	0	50	50	50
	Accommodates Technology Changes	0	50	50	50
	Accommodates Programmatic Changes	0	50	50	50
	Does not Disrupt Students	100	50	50	50
Demographics	Economic Issues				
	Effects no other facilities/properties	100	50	50	100
	Offers Operational Efficiencies/Common Space	0	0	0	0
	Lowens Maintenance Costs	0	50	50	50
	Offers Energy Savings	0	50	50	50
	Benefits Residentl & Commrcal Development	0	50	50	50
School Options	Safety & Security				
	Meets Safety and Security Needs	0	50	50	50
	Meets ADA Requirements	0	50	50	50
	Average Criterion Score	18	45	45	50

Estimated Costs (Year 2000 Dollars)				
Phase II of the Existing High School in CIP	\$5,120,430	\$0	\$0	
Estimated Maintenance Costs (over 20 years)	\$7,849,100	\$4,319,500	\$3,529,600	\$4,319,500
Estimated Renovation Costs ***	\$0	\$0	\$0	\$7,788,500
Estimated New Building(s) Costs ***	\$0	\$8,718,750	\$12,787,500	
Estimated Land Acquisition Costs (@ \$50K/acre)	\$0	\$0	\$0	
Estimated Total Cost	\$12,969,530	\$13,038,250	\$16,317,100	\$12,118,000

* Requires relocation of the high school baseball field.

** Requires relocation of the high school baseball field, Public Works, high school tennis courts and municipal

*** Includes contingency fees, site fees and furnishings.

Key to Values:
0 = Does not satisfy the criterion
50 = Partially satisfies the criterion
100 = Completely satisfies the criterion

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ESTIMATES OF PUMP STATION**COMPLETION DATES**

The following dates are the most current estimates for pump station availability on the Poquoson Sewer Extension project. Although the stations will not be complete by the estimated date, it is estimated they will be operational on that date and remain operational thereafter. This list may be updated periodically.

<u>P.S.#</u>	<u>Location</u>	<u>Date</u>
2F	Poquoson River Dr.	Completed
2G	Browns Neck Rd.	Completed
2E	Whitehouse/Woodland /N. Poquoson Ave.	Completed
	North Lawson Rd.	12/31/01
1A	Forrest Rd.	Completed
10A	South Poquoson Ave.	Completed
10B	Church Rd.	Completed
2D	Pasture Rd.	Completed
2H	Hansom Dr.	12/31/01

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Home

Sewer

Up

City Council adopted Sewer Ordinance changes on August 23, 1999. The ordinance will affect ALL RESIDENTS OF POQUOSON (i.e., sewer availability fee, sewer quarterly fees and sewer connection).

Calendar

School Task Force

Sewer OrdinanceStreets

PumpStation

Sewer

The following items were adopted:

	Availability Fee	Quarterly Fee	Connection Requirement
Existing Households (Sewer is Already Available)	Availability Fee Already Paid	Mandatory Quarterly Fee - 120 Days after Ordinance Change	Mandatory Connection within 12 Months of Ordinance Change
Existing Households (Sewer is Already Available)	Mandatory \$3,000 Fee, Financing Available	Mandatory Quarterly Fee - 120 Days after Ordinance Change	Mandatory Connection within 12 Months of Full Payment of Availability Fee
Existing Households (New Service Area)	Mandatory \$3,000 Fee, Payment Due within 120 Days of Service Availability, Financing Available	Mandatory Quarterly Fee - 120 Days after Service Availability	Mandatory Connection within 12 Months of Full Payment of Availability Fee
Vacant Lots (Lots in Existence on 1/1/99)	\$3,000 Fee Can be Paid within 120 Days of Service Availability, Financing Available. After that the Fee Goes to \$6,000	Quarterly Fee Starts when Connection to Sewer is Made	Connection to Sewer Happens when House is Placed in Service
Vacant Lots (Lots in Existence after 1/1/99)	\$6,000 Fee	Quarterly Fee Starts when Connection to Sewer is Made	Connection to Sewer Happens when House is Placed in Service



 Home Up Sewer Ordinance Streets

Sewer Ordinance

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF POQUOSON, VIRGINIA BY REVISING CHAPTER 20 PERTAINING TO SEWERS AND SEWAGE DISPOSAL

BE IT ORDAINED by the Council of the City of Poquoson, Virginia:

Section 1: That Chapter 20 of the Code of Ordinances of the City of Poquoson, Virginia be and the same hereby is repealed in its entirety and amended to read as follows:

Chapter 20 SEWERS AND SEWAGE DISPOSAL

Sec. 20-1. Definitions.

Unless the context specifically indicates otherwise, the meaning of the terms used in this chapter shall be as follows.

Building shall mean a structure having walls and a roof designed and used for the housing, shelter, enclosure or support of persons, animals or property.

Building inspector shall mean the individual assigned by the City of Poquoson to enforce the plumbing laws and codes of the Commonwealth of Virginia within the City of Poquoson.

Building drain shall mean that part of the lowest horizontal piping of a sewer drainage system which receives the discharge from drainage pipes inside the walls of the building and conveys it to the building sewer which begins two (2) feet outside the inner face of the building wall.

Building sewer shall mean the extension from the building drain to the public sanitary sewer or other place of disposal.

Building sewer permit shall mean the permit required by Virginia State Plumbing Code for the installation of building sewers.

City shall mean the City of Poquoson, Virginia.

Domestic wastewater shall mean liquid wastes (1) from the noncommercial preparation, cooking, and handling of food and/or (2) containing human excrement and similar matter from the sanitary conveniences of dwellings, commercial buildings, industrial facilities and institutions.

Dwelling unit shall mean living quarters, with facilities for living, sleeping and cooking, designed for the occupancy of a single family. It includes but is not limited to single-family houses, townhouse units, apartment units and mobile homes.

Easement shall mean an acquired legal right for specific use of land owned by others.

Floatable oil is oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable oil if it is properly pretreated and the wastewater does not interfere with the wastewater system.

Garbage shall mean the animal and vegetable waste, resulting from the handling, preparation, cooking, and serving of foods.

H.R.S.D. shall mean the Hampton Roads Sanitation District.

Health officer shall mean any duly authorized agent of the York-Poquoson Health Department.

Industrial wastewater shall mean the liquid wastes resulting from the processes employed in industrial, manufacturing, trade or business establishments, as distinguished from domestic wastewater.

Lateral shall mean the portion of the public sanitary sewer (see "public sanitary sewer") that extends from the major trunk line in the city's easement or right-of-way to the edge of the easement or right-of-way for the purpose of allowing connection of a building sewer (see "building sewer").

Manager shall mean the city manager of the City of Poquoson, Virginia, or his authorized deputy, agent, or representative.

May is permissive (see "shall").

Natural outlet shall mean any outlet, including storm sewers, into a watercourse, pond, ditch, lake or other body of surface or groundwater.

Notice as required by this chapter may be given by publication one time in a newspaper of general circulation in the city or by certified mail addressed to the owners of all real estate affected.

Owner or developer shall mean any person having an interest, whether legal or equitable, sole or partial, in any premises which is, or may in the future be, served by the facilities of the city and who is, or may in the future be, responsible for design and construction of facilities to be under the jurisdiction of the city and to become a part of the public utilities system of the city.

Person shall mean any individual, firm, company, association, society, corporation, or group.

pH shall mean the logarithm of the reciprocal of the hydrogen ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution. Neutral water, for example, has a pH value of seven (7) and a hydrogen ion concentration of ten (10) - seven (7) grams/liter.

Private sanitary sewer (private sewer) shall mean a sewer owned by one or more individuals as opposed to a sewer owned and operated by the City of Poquoson, Virginia. Building sewers that serve more than one dwelling unit and building sewers that serve only one dwelling unit but traverse one or more lots other than the lot on which exists the dwelling unit served shall be considered private sanitary sewers. Building sewers that serve only one dwelling unit and do not traverse one or more lots other than the lot on which exists the dwelling unit served shall not be considered private sanitary sewers.

Public sanitary sewer (sewer) shall mean a sewer owned or controlled by the City of Poquoson, Virginia, that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of ground, storm, and surface waters that are not admitted intentionally.

Septic system shall mean a conventional septic tank and drainfield system with gravity feed drainfields no less than eighteen (18) inches above the seasonal water table.

Sewage is the spent water of a community. The preferred term is "wastewater".

Shall is mandatory (see "may").

Unpolluted water is water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the public sanitary sewers.

User shall mean any person who discharges or causes or permits the discharge of wastewater into the wastewater system.

Wastewater shall mean the spent water of a community. For purposes of this section, wastewater is either domestic wastewater, as defined in this section, or industrial wastewater, as defined in this section, or a combination of both. From the standpoint of source, it may be combination of the liquid and the water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, and stormwater that may be present.

Wastewater system shall mean the structures, and equipment owned and maintained by the city, that are used to collect and carry domestic wastewater or industrial wastewater and discharge into H.R.S.D. facilities.

Watercourse shall mean a natural or artificial channel for the passage of water either continuously or intermittently.

Sec. 20-2. Use of public sanitary sewer

(a) It shall be unlawful for discharge to any natural outlet within the City of Poquoson, Virginia, or in any area under the jurisdiction of said city, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.

(b) A structure or building lot is available to public sewer if the lot's building setback line lies

within one thousand (1,000) feet of the public sewer and has either property or easement access to public sewer. Whether a structure can be served by gravity sewer or pump shall have no bearing on the structures or building lot's availability to sewer.

(c) It shall be unlawful to construct any septic system or other facility intended or used for the disposal of wastewater where sewer is available.

(d) When public sewer is available as stated in Section 20-2(b), the owner of all residential, commercial, business and all other non-residential structures shall be required to connect to the public sewer system. The required connection and payment of availability and quarterly fees shall occur as follows:

(1) For those dwellings where sewer is currently available and the availability fee has been paid, connection to the sewer system is required on or before November 1, 2000. Payment of the quarterly use fee shall commence on the date of connection to the sewer system or by no later than March 1, 2000.

(2) For those dwellings where sewer is currently available and the availability fee is being paid by an installment contract with the City, connection to the sewer system is required no later than twelve (12) months after full payment of the fee. Payment of the quarterly use fee shall commence on the date of connection to the sewer system or by no later than March 1, 2000.

(3) For those dwellings where sewer is being provided, payment of the availability fee is due in full or by entering into an installment contract with the City on or before one hundred twenty (120) days of sewer service availability. Connection to the sewer system is required no later than twelve (12) months after full payment of the availability fee. Payment of the quarterly use fee shall commence on the date of connection or one hundred twenty (120) days after sewer availability, whichever occurs first.

(4) For vacant lots in existence as of January 1, 1999, the sewer availability fee is three thousand dollars (\$3,000) and at the owner's discretion may be paid either by entering into an installment contract with the City or in full within 120 days of sewer availability. Thereafter, the availability fee shall be six thousand dollars (\$6,000). Connection to the sewer system occurs when the dwelling is placed in service. Payment of the quarterly use fee shall commence when connection to the sewer is made.

(5) For vacant lots created after January 1, 1999, the availability fee shall be six thousand dollars (\$6,000). Connection to the sewer system occurs when the dwelling is placed in service. Payment of the quarterly use fee shall commence when connection to the sewer is made.

(e) All persons served by the City of Poquoson's wastewater system shall pay for wastewater system service in accordance with section 20-10 as established by the City of Poquoson for the uses of any services rendered by the wastewater system.

Sec. 20-3. Private sewage disposal systems.

(a) Private sewage disposal systems other than conventional septic systems are prohibited.

(b) Where a public sanitary sewer is not available under the provisions of section 20-2(b), the building sewer may be connected to a septic system if the site is determined by the health officer to be suitable for a septic system to operate properly. The number, location and depth of soil profile holes required to determine suitability of a subsurface soil absorption system site shall be in accordance with Part III, Article I, Section 3.4 of the current Commonwealth of Virginia State Board of Health Sewage Handling and Disposal Regulations.

(c) Before commencement of construction of a septic system, the owner shall first obtain a written permit signed by the health officer. The application for such permit shall be made on forms furnished by the York-Poquoson Health Department, which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary by the health officer.

(d) A septic system shall not be utilized until the installation is completed to the satisfaction of the health officer. He shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the health officer when the work is ready for final inspection, and before any underground portions are covered.

(e) The type, capacity, location, and layout of a septic system shall comply with all requirements of the Department of Health of the Commonwealth of Virginia.

(f) The owner shall operate and maintain the septic system in a sanitary manner at all times, at no expense to the city, and the septic system shall be pumped out at least once every five (5) years.

(g) Septic systems shall be maintained in good working order. When notified by the health officer or the city of a malfunction, the owner of a septic system shall complete the prescribed corrective actions in a timely manner. If periodic pumping of the system is required, the city may require submittal of proof of pumping on a regular basis.

(h) No statement contained in this section shall interfere with any additional requirements that may be imposed by the health officer.

Sec. 20-4. Private sewer systems.

(a) Private sewer systems are prohibited in the City of Poquoson except in very unusual circumstances. The city manager may approve private sewer systems only in cases where it is impossible for a property owner to construct a public sewer extension or a building sewer which connects directly to a public sewer. Private sewer systems may not be constructed in a public right-of-way or a public drainage or utility easement without approval of the City Manager.

(b) In cases where a private sewer system is appropriate, the owner or developer shall provide to the city manager the following:

(1) Design plan and profile drawings of the proposed sewer system showing: pipe sizes, locations, slopes, inverts, and materials; ground elevations along the proposed sewer system; pump type and size specifications where applicable; alarm system specifications where applicable. Such plans shall be prepared and certified by a professional engineer or certified land surveyor licensed by the State of Virginia.

(2) Private maintenance agreement for the private sewer system to be recorded as a deed restriction for each property to be served by the private sewer system.

(3) Record plats of any private easements along which the private sewer system will run.

(4) Any other information required by the city in order to determine the necessity for, desirability of and adequacy of a proposed private sewer system.

(c) In reviewing the material submitted, the city manager shall determine the following:

- (1) That the design of the system is adequate and meets all code requirements.
- (2) That the maintenance agreement clearly holds the city free from any maintenance responsibility for the private system and establishes clear responsibility for maintenance among the property owners involved.
- (3) That the proposed system will not, in any way, impede the city's ability to provide sanitary sewer throughout the city.
- (d) Availability fees and service fees shall be charged to each user of the private sewer system in the same fashion as if it were a public sewer system.

Sec. 20-5. Building sewers and connections.

- (a) No unauthorized person(s) shall uncover, make any connections with or opening into, use, alter, or disturb any public sanitary sewer or appurtenance thereof.
- (b) A building sewer permit shall be obtained from the office of the building inspector before constructing any building sewer. The building sewer permit application shall be supplemented by plans, specifications, or other information considered pertinent in the judgement of the building inspector.
- (c) All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer. Tapping of public sewer main lines, installation of wyes in the public sanitary sewer main lines and extension of sewer lateral lines to owner's property, when required, shall be performed in accordance with the city's current rules, regulations and policies, at the owner's expense.
- (d) A separate and independent building sewer shall be provided for every building, except where more than one building stands on one lot and no separate building sewer can be constructed to the rear building through an adjoining alley, court, yard, or driveway; then the building sewer of one building may be extended to another building and the whole considered as one building sewer. The city, however, does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection aforementioned. The city may, in order to avoid unnecessary pavement cuts or for other reasons, install or have installed one lateral large enough for the

connection of more than one building sewer. In such situations, the number and amount of availability fees charged shall be no different than if individual laterals were provided for each building sewer.

(e) Old building sewers may be used in connection with new buildings only when they are determined by the building inspector to meet all current requirements of this section and all applicable current laws and regulations. Old building sewers shall, if requested by the building inspector, be uncovered in order to determine whether or not the old sewer meets all current standards.

(f) The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the city building and plumbing code or other applicable rules and regulations of the city. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. (Water Pollution Control Federation) Manual of Practice No. FD-5 shall apply.

(g) In all buildings in which any building drain is too low to permit gravity flow to the public sanitary sewer, wastewater carried by such building drain shall be lifted by an approved means and discharged to the building sewer. All such required lifting devices shall be installed, owned and maintained by owner(s) of property being served by said lifting devices.

(h) No person(s) shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources, of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer. Existing conditions of this type shall be disconnected from discharging into the public sanitary sewer by the owner at the owner's expense.

(i) The connection of the building sewer into the public sanitary sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the city, or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.P.C.F. Manual of Practice No. FD-5. All such connections shall have cleanouts, with cast iron frames and lids, installed at the property line; be made gastight and watertight; and verified by proper testing.

(j) The applicant for the building sewer permit shall notify the building inspector when the building sewer is ready for inspection and connection to the public sanitary sewer. The connection shall be made under the supervision of the building inspector and must be approved by the city before being covered. All backfill, where an excavation for a sewer connection is made in a street or alley,

shall be firmly tamped and covered with materials, as specified by the city manager.

(k) All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the city.

(l) All costs and expenses incidental to the construction and maintenance of the building sewer shall be borne by the owner, to include removal of any obstructions, except where it can be shown to the satisfaction of the manager that the building sewer has clogged or has physically collapsed between the owner's property line and the public sanitary sewer. The costs and expense of repairing the collapsed building sewer between the owner's property line and the public sanitary sewer will be borne by the city.

(m) It shall be unlawful for any plumber or other person to remove any plug from the sanitary sewer service line for any purpose other than making the house connection. Such plumber or other person shall pump dry the trench in which the house sewer is laid, before the plug is removed from the sanitary sewer service line, in such manner as to prevent the entry of any ground water, surface water, trench water, silt or combination thereof into the sanitary sewer.

Sec. 20-6. Prohibitions and limitation on use of the public sanitary sewers.

(a) *Generally.* No person(s) shall willfully or negligently obstruct access to, break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the wastewater system.

(b) *Prohibitions on wastewater discharges.* No person shall discharge or deposit or cause or allow to be discharged or deposited into the wastewater system any wastewater which contains the following:

(1) *Oils and grease.*

a. Oil and grease concentrations or amounts from users violating federal, state or H.R.S.D. pretreatment standards.

b. Wastewater from users containing floatable oil, wax, fats or grease concentration of mineral origin of more than one hundred (100) milligrams per liter whether emulsified

or not, or containing substances which may solidify or become viscous at temperatures between thirty-two (32) degrees and one hundred fifty (150) degrees (0 degrees and 65 degrees Centigrade) at the point of discharge into the system.

- (2) *Explosive mixtures.* Liquids, solids or gases which by reason of their nature or quantity are, or may be sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the wastewater system or to the operation of the system. At no time shall two (2) successive readings on an explosive hazard meter, at the point of discharge into the wastewater system be more than five (5) percent nor any single reading over ten (10) percent of the lower explosive limit (L.E.L.) of the meter. Prohibited materials include but are not limited to: gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, and sulfides.
- (3) *Noxious material.* Noxious or malodorous solids, liquids, or gases, which, either singly or by interaction with other wastes, are capable of creating a public nuisance or hazard to life, or are or may be sufficient to prevent entry into the wastewater system for its operation, maintenance and repair.
- (4) *Improperly shredded garbage.* Garbage that has not been ground or comminuted to such a degree that all particles will be carried freely in suspension under flow conditions normally prevailing in the public sanitary sewer, with no particle greater than one-half (1/2) inch in any dimension.
- (5) *Radioactive wastes.* Radioactive wastes or isotopes of such half-life or concentration that they do not comply with regulations or orders issued by the appropriate authority having control over their use and which will or may cause damage or hazards to the wastewater system or personnel operating the system.
- (6) *Solid or viscous wastes.* Solid or viscous wastes which will or may cause or contribute to obstruction in the flow of wastewater in a sewer, or otherwise interfere with the proper operation of the wastewater system. Prohibited materials include, but are not limited to: grease, uncomminuted garbage, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, mud, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, tar, asphalt residues, residues from refining or

processing of fuel or lubricating oil, seafood processing by-products, and similar substances.

- (7) *Unpolluted waters.* Any unpolluted water including, but not limited to: water from cooling systems or of storm water origin, which will increase the hydraulic load on the wastewater system.
 - (8) *Corrosive waters.* Any waste which will cause corrosion or deterioration of the wastewater system. All wastes discharged to the wastewater system shall have a pH value in the range of (6) to (9) standard units. Prohibited materials include, but are not limited to: acids, sulfides, concentrated chloride and fluoride compounds, and substances which will react with water to form acidic products.
 - (9) *Other wastes.* Any substances prohibited by H.R.S.D.
- (c) *Limitations on wastewater discharges.* No person shall discharge or convey, or permit or allow to be discharged or conveyed to the public sanitary sewer any wastewater containing pollutants of such character or quantity that will:
- (1) Not be susceptible to treatment or cause interference with the process or efficiency of the wastewater system.
 - (2) Constitute a hazard to human or animal life, or to the stream or watercourse receiving the wastewater treatment plant effluent.
 - (3) Violate federal, state, or H.R.S.D. pretreatment standards.
- (d) *Septic tank and other holding tank wastewater discharges.*
- (1) No person owning vacuum or "septic tank" pump trucks or other liquid wastewater transport trucks shall discharge directly or indirectly such wastewater into the wastewater system, unless such person shall first have applied for and received a permit from the city and H.R.S.D. for each vehicle. All applicants for this permit shall complete such forms as required by the city and H.R.S.D., pay appropriate fees, and agree in writing to abide by the provisions of this section and any special conditions or regulations established by the health officer and H.R.S.D. Such permits shall be limited to the discharge of domestic wastewater containing no industrial wastewater. The city and

H.R.S.D. shall designate the locations and times where such trucks may be discharged and may refuse to accept any truckload of wastewater where in its absolute discretion it appears that the wastewater could cause interference with the effective operation of the wastewater system.

- (2) No person shall discharge any other holding tank wastewater into the wastewater system unless he shall have applied for and have been issued a permit by H.R.S.D. Unless otherwise allowed under the terms and conditions of the permit a separate permit must be secured for each location of discharge. This permit shall include the time of day the discharge is to occur, the volume of the discharge, and shall limit the wastewater constituents and characteristics of the discharge. Such user shall pay any applicable charges or fees therefor, and shall comply with the conditions of the permit issued by H.R.S.D. No permit, however, will be required to discharge domestic wastewater from a recreational vehicle or marine vessel holding tank providing such discharge is made into an approved facility designed to receive such wastewater.

(e) Grease, oil and sand traps.

- (1) Establishments involved in the preparation of food for commercial purposes shall provide grease interceptors or traps. Grease, oil and sand interceptors or traps shall be provided by others when necessary for the proper handling of liquid wastes containing grease in excessive amounts, sand and other harmful ingredients, except that such interceptors or traps will not be required for dwelling units.
- (2) All interceptors or traps shall be of a type and capacity approved by the building inspector, and shall be located so as to be readily and easily accessible for cleaning and inspection. They shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperatures and shall be of substantial construction, gastight, watertight, and equipped with easily removable covers.
- (3) All grease, oil and sand interceptors or traps shall be maintained by the user in continuously efficient operation at all times at his expense.
- (4) Approval of proposed facilities or equipment by the health officer, does not, in any way, guarantee that these facilities or equipment will function in the manner described by their constructor or manufacturer; nor shall it relieve a person, firm or corporation of the

responsibility of enlarging or otherwise modifying such facilities to accomplish the intended purpose.

- (f) *Special agreements.* Nothing in this section shall be construed as preventing any special agreement or arrangement between the city and any user of the wastewater system whereby wastewater of unusual strength or character, but not detrimental to the function of the wastewater system, is accepted into the system and specially treated subject to any payments or user charges as may be applicable.

Sec. 20-7. Control of prohibited wastes.

- (a) *Regulatory actions:* If wastewater containing any substances described in section 20-5 are discharged or proposed to be discharged into the wastewater system tributary thereto, the manager or the H.R.S.D. may take any action necessary to:
- (1) Prohibit the discharge of such wastewater.
 - (2) Require a discharger to demonstrate to the satisfaction of the manager that in-plant modifications will reduce or eliminate the discharge of such substances in conformity with this chapter.
 - (3) Require pretreatment, including storage, facilities, or flow equalization necessary to reduce or eliminate the objectionable characteristics or substances so that the discharge will not violate this chapter. In instances where it is agreed that any waste will be accepted into the city facilities after receiving preliminary treatment, drawings and specifications showing all pertinent detail of the methods and construction proposed to accomplish the preliminary treatment shall be submitted to the City Manager for approval. Where preliminary treatment facilities are utilized prior to discharge to city facilities, they shall be subject to periodic inspection by the city manager and shall be maintained in good operating condition. Access shall be provided for flow measurements and sampling wastes before they reach the city's sewer. Provision should be made to control the rate of discharge and also to completely shut off the discharge from pretreatment facilities if required.
 - (4) Take such other remedial action as may be deemed to be desirable or necessary to achieve the purpose of this ordinance.

(b) *Admission to property.* Whenever it shall be necessary for the purposes of this section, the city manager, upon the presentation of credentials, may enter upon any property or premises at reasonable times for the purposes of:

- (1) Inspecting and monitoring equipment or method, or any pretreatment facilities, or
- (2) Sampling any discharge of wastewater to the wastewater system.

The manager may enter upon the property at any hour under emergency circumstances.

(c) *Reporting of accidental discharge.* If, for any reason, a user accidentally discharges prohibited materials or other wastes regulated by this section, the user responsible for such discharge shall immediately notify the manager so that corrective action may be taken to protect the wastewater system. In addition, a written report, addressed to the manager, detailing the date, time and cause of the accidental discharge, the quantity and characteristics of the discharge, and corrective action taken to prevent future discharges, shall be filed by the responsible facility within five (5) days of the occurrence of the violating discharge.

Sec. 20-8 Sewer extension.

- (a) *General policy.* The decision to extend public sanitary sewer to unsewered areas of the city is a decision involving the weighing of many factors in order to ascertain the public benefit. The unplanned extension of sewer is not in the public benefit due to the low return on the very large capital investment required. Therefore, city council reserves the power and authority to determine when, where and under what circumstances public sewer shall be extended based upon its determination as to what course of conduct will best comport with good business judgement and which will be most likely to advance the public interest.
- (b) *Extension of sewer mains.* No extension shall be made to existing sewer mains without written permission from the city manager. Application for permission to extend mains shall be accompanied by a minimum of four (4) copies of the plans and specifications, as prepared by a registered engineer licensed to do business in the state, and no construction shall commence until permission has been obtained. Service laterals to the property shall be provided by the applicant and installed at time of construction as approved. No connection between the existing main and the extension shall be made until all required fees have been

paid.

For all sewer extensions, including new development, the location and size of any gravity sanitary sewer or force main must comply with the city's master sanitary sewerage plan to include any revisions. The entire expense of the design, materials and installation of any pipe shall be borne entirely by the developer.

- (c) *Construction of sewer pumping stations.* In order to provide pump stations adequate to meet the drainage area's needs, pump stations shall be constructed in accordance with the city's master sanitary sewerage plan. Under certain conditions the city may participate in the cost of pump stations. The city's maximum share of such cost shall be the difference between the estimated cost of the pump station necessary to serve the proposed development and the estimated cost of the pump station proposed in the city's master sanitary sewerage plan. The developer shall bear all design costs. The city shall charge its share of the construction cost to future development which occurs within the area served by the pump station.

The city reserves the right to construct sewer pumping stations or to participate in the construction of pumping stations to serve the unsewered portions of the city based upon sound fiscal management, principles and established priorities for the extension of public sewer in the city. The cost of constructing such sewer pumping stations shall be recovered by the imposition of fees and/or charges which shall be apportioned among the owners of property which will be benefited by the construction of the sewer pumping station.

- (d) *Plans and specifications for sewer system.* No sewer system shall be installed in the city until the plans and specifications of such system are first submitted to and approved by the city manager.

In any case in which the manufacturer's specifications for a septic tank or sewer system may be in conflict with the approved detailed drawing submitted in reference to such system, the detailed drawings shall be followed, unless otherwise specified by the health officer or the city manager.

Sec. 20-9. Powers and authority of inspectors.

- (a) The manager and other duly authorized employees of the city bearing proper credentials

and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurements, sampling, and testing in accordance with the provisions of this section. The manager shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper or other industries beyond that point having a direct bearing on the kind and source of discharge to the public sanitary sewer.

- (b) While performing the necessary work on private properties referred to in section 20-7(b) above, the manager or duly authorized employees of the city shall observe all safety rules established by the owner which are applicable to the premises.
- (c) The manager shall be permitted to enter all private properties through which the city holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the wastewater system lying within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

Sec. 20-10. Schedule of sewer rates and charges.

(a) Availability fee.

- (1) Notwithstanding any other provision of this chapter, fees for availability of public sewer facilities shall be paid prior to connection to public sewer facilities and shall be as follows:

<i>Water Meter Size (inches)</i>	<i>Lots of Record 1/1/99</i>	<i>Lots of Record After 1/1/99</i>
5/8.....	\$3,000.00.....	\$6,000.00
3/4.....	3,600.00.....	6,600.00
1.....	4,400.00.....	7,200.00
1 1/2.....	5,000.0.....	7,800.00
2.....	5,600.00.....	8,400.00
3.....	6,200.00.....	9,000.00
4.....	7,680.00.....	10,500.00

6..... 11,520.00..... 14,500.00

For those owners of real property whose combined income from all sources, including the owners and all individuals residing within the dwelling for the preceding calendar year as evidenced by, but not limited to the Federal income tax return for the most recent calendar year, does not exceed \$27,000 the availability fee shall be as follows:

Combined Income Availability Fee

\$19,000 or less	\$0
19,001 - 20,600	300
20,601 - 21,400	600
21,401 - 22,200	900
22,201 - 23,000	1,200
23,001 - 23,800	1,500
23,801 - 24,600	1,800
24,601 - 25,400	2,100
25,401 - 26,200	2,400
26,201 - 27,000	2,700

- (2) Where more than one dwelling unit or other premises are to be connected to sewer facilities by a single building drain or lateral, the owner or developer of each such premise shall pay the fee prescribed by this section for each such premise.
- (3) There shall be no reduction in the availability fees for public schools.
- (4) Full payment of the availability fee prescribed by subsection (a)(1) above shall be made at the time of application for the connection permit unless otherwise provided for pursuant to subsection (a)(5) below. Any other application, expansion or addition, whether or not on the same property or at the location shall be considered and treated as a new and separate application.

(5) Payment of availability fee.

- a. The sewer availability fee shall be paid in accordance with section 20-2(d) of this ordinance except for vacant lots created after January 1, 1999 which shall be paid at the earliest of the following times:
 1. Availability fees for residential subdivision lots shall be paid prior to final plat approval.
 2. Availability fees for nonresidential uses shall be paid prior to site plan approval.
 3. Availability fees for uses which do not require subdivision or site plan approval shall be paid prior to issuance of a building permit.
 4. Availability fees for uses which do not require the issuance of a building permit shall be paid prior to connection to the public sewer system.
- b. The city manager is authorized to enter into contracts with the owners of real property for payment of an availability fee for a residential dwelling unit in existence as of January 1, 1999 over a thirty-six (36) month period. Interest shall accrue on the unpaid obligation at a rate to be determined based on current market conditions.
- c. The city manager is authorized to enter into contracts for deferred payment of the sewer availability fee chargeable for single-family residential dwelling units with elderly and disabled owners of real property who qualify for deferral and exemption of real property taxes pursuant to the criteria of section 23-21 of the Code of Ordinances of the City of Poquoson. Such contracts shall provide that the sewer availability fee shall constitute a lien against the real property owned by the elderly or disabled owner but payment shall be deferred until the elderly or disabled owner dies, transfers title or otherwise ceases to have an ownership interest in the premises. The deferred sewer availability fee shall be paid within ninety (90) days of the death or transfer of ownership interest and, if not paid, within such time, interest shall begin to accrue on the debt at the rate of 9%.
- d. Each contract executed under this section shall adequately describe the premises involved, by lot number or by street address, if there is no lot number, and shall provide

for the indexing of the fee covered by the contract, as a lien against the real estate so described in the appropriate lien book in the clerk's office of the circuit court of the county. Such contract shall further provide:

1. That, in the event of the default, the entire balance due on the contract shall become due and payable.
2. That all monthly payments shall be due on the tenth day of each month and shall be deemed to be in default fifteen (15) days after such due date.
3. That in the event judicial action of a civil nature is necessary to collect payment, reasonable attorney's fees, court costs and other expenses of collection shall be added to the debt.

(b) *Sewer service charges.*

(1) The charges for sewer service furnished by the city shall be as follows:

- a. Single-family residential units, fifty-one dollars (\$51.00) per calendar quarter.
- b. Two-family and multiple family residential units, trailer parks and other residential units not otherwise provided for, fifty-one dollars (\$51.00) per calendar quarter per housekeeping unit.
- c. Business, commercial or industrial units, fifty-one dollars (\$51.00) per unit per calendar quarter plus one dollar and twenty-five cents (\$1.25) per one hundred (100) cubic feet of water consumption. Upon application to the city, the volume of water consumption used to calculate a business' quarterly sewer service charge will be reduced by the volume of water which flows through an approved water submeter. A quarterly fee of ten dollars (\$10.00) will be charged for those businesses for which such application is approved.

(2) The charges prescribed by this section shall apply to all units available to sewer, whether in use or not, except for those units which have been demolished or condemned by the Building Official and shall be billed to and paid by the owner of any such unit,

commencing, except as provided in section 20-2(d)(1)(2) and (3), on the day that the permit to connect to the sewer is obtained or the date the temporary or final occupancy permit is issued by the building official's office, whichever is later. The charges shall be billed to and be the responsibility of the property owner of record on the last day of the last month of the quarterly assessment. Upon written request from the owner of residential property only, the bill may be mailed to the occupant; however, this will not relieve the owner of the ultimate responsibility for the charges.

- (3) The sewer service charges prescribed by this section shall be assessed as of January, April, July, and October and are due by the last day of the last month of the quarterly assessment. Charges which remain unpaid five (5) days after the bill due date will be assessed a penalty of five dollars (\$5.00). Interest shall also accrue on the unpaid charge at the rate of one (1) percentum per month. Any unpaid charges shall become a lien on the real property to which the sewage disposal service is provided and to which the sewer service charge is assessed, ranking on a parity with liens for unpaid taxes. If the sewer service charge prescribed by this section remains unpaid sixty-five days after the first day of the billing quarter, water service to the premises may be discontinued. After service has been discontinued, it shall not be restored until all applicable fees and outstanding sewer service charges, interest and penalties have been paid.

The fees to be charged are as follows:

Service Fee

Water turn-off \$15.00

Meter removed..... 35.00

(\$20.00 if water turn-off fee has been assessed)

- (4) The city manager is authorized to promulgate reasonable and necessary rules and regulations for the billing and collection of sewer service charges.
- (5) All fees and fines collected under this subsection (b) shall go into the sewer fund of the city.

Sec. 20-11. Enforcement and abatement.

(a) *Public nuisance.* The discharge of wastewater in any manner in violation of this chapter is hereby declared a public nuisance and shall be corrected or abated as provided herein.

(b) *Violations.*

(1) **Notification to user of actual or threatened violation.** Whenever the manager determines or has reasonable cause to believe that a discharge of wastewater has occurred, or is about to occur, in violation of the provisions of this section, or any other applicable law or regulation, he shall notify the user of such violation; however, failure of the manager to provide notice to the user shall not in any way relieve the user from any consequences of a wrongful or illegal discharge. The notice shall state:

- a. The nature of the actual or threatened violation of this chapter.
- b. The time within which the user must take appropriate measures to prevent any threatened violation, or the recurrence of any actual violations, and to furnish evidence that such corrective action has been taken.

The manager shall also notify the health department should the violation fall within its jurisdiction.

(2) **Proceedings in the event of failure of user to furnish satisfactory evidence of corrective action within time prescribed by notice.** In the event the user fails to furnish satisfactory evidence to the manager that corrective action has been taken within the time prescribed by the notice (or any extensions of time granted by the manager), the manager may sever his sewer connection(s) or take such other steps as may be required in order to insure that no prohibited wastewater is introduced into the public sanitary sewer.

(c) *Assessment of damages to users.* When a discharge of wastewater causes an obstruction, damage or any other impairment to the wastewater system, the manager may assess a charge against the user for the work required to clean or repair the facility and these charges will be billed directly to the user when costs are final. Such person shall also be liable for damages due to treatment problems caused, fines resulting therefrom which may be levied against the city or the Hampton

Roads Sanitation District, other costs resulting from the action and any penalty imposed for violation of this chapter. The manager shall have such remedies for the collection of such costs as he has for the collection of sewer service charges.

(d) *Judicial relief.* In cases of violation of this chapter, the city shall have the right to seek injunctive relief and any other relief of a civil or criminal nature against the violators, which right shall be in addition to the right to take nonjudicial action as set out in section 20-11. In any judicial action of a civil nature, the city shall have the right to recover from the violator of this section any actual damages sustained, including the costs, if any, incurred by the city, in corrective or preventative action taken for the purpose of protecting the integrity of the wastewater system, reasonable attorney's fees, court costs, court reporter's fees and other expenses of litigation.

Sec. 20-12. Penalty.

Unless otherwise specifically provided, any person who is found to have violated any provision of this chapter shall be guilty of a class 3 misdemeanor and subject to a fine of not more than five hundred dollars (\$500.00) for each offense. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense. In addition to the penalties provided herein, the city may recover reasonable attorney's fees, court costs, court reporter's fees and other expenses of litigation by appropriate suit at law against the person found to have violated this section or the orders, rules and regulations issued hereunder. Pursuant to the provisions of Section 15.2-2119 of the Code of Virginia (1950), as amended, fees, charges and the penalty and interest thereon shall constitute a lien against the property, ranking on a parity with liens for unpaid taxes. Such amounts, plus reasonable attorney's or collection agency's fees which shall not exceed twenty percent of the delinquent bill, may be recovered by the locality by action at law or suit in equity.

The lien for sewer charges may be enforced pursuant to Section 15.2-2120 of the Code of Virginia (1950), as amended.

Sec. 20-13. Granting of Exceptions.

City Council may, under specific circumstances and conditions, grant a waiver of any or all aforementioned requirements of this ordinance. Application for a waiver shall be made in writing to City Council on a form provided by the City Manager's office. Action by City Council on the request shall be made within 30 days of receipt of the application.

Section 2: That this ordinance shall become effective on and after 30 days from its adoption.

E-mail pmoon@ci.poquoson.va.us with questions or comments about this web site.
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